

09/945,376

cofe

Attorney Docket No. 1270

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Number : 6,861,577 B2
Issued : March 1, 2005
Name of Patentee : Acevedo, et al.
Title of Invention : Promoter of a Maize Major Latex Protein Gene and
Methods of Using it to Express Heterologous Nucleic
Acids in Transformed Plants

Attention Certificate of Corrections Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR PTO MISTAKE (37 CFR 1.322(a))**

1. Attached, in duplicate, is Form PTO/SB/44, with at least one copy being suitable for printing.
2. The exact page and line number where the errors are shown correctly in the application file are:

Cover page (57) ABSTRACT is shown correctly on page 2 of the Examiner's Amendment attached to the Notice of Allowance.

Column 43, Line 12 is shown correctly on page 3 of the Examiner's Amendment attached to the Notice of Allowance.

Column 43, Line 23 is shown correctly on Page 5 of the Amendment filed May 30, 2003.

Column 43, Line 29 is shown correctly on page 3 of the Examiner's Amendment attached to the Notice of Allowance.

Column 44, Line 11 is shown correctly on page 3 of the Examiner's Amendment attached to the Notice of Allowance.

Certificate
MAR 18 2005
of Correction

MAR 21 2005

Column 44, Line 28 is shown correctly on Page 7 of the Amendment filed May 30, 2003.

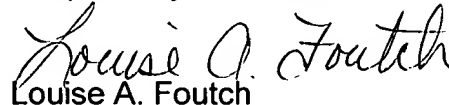
Column 44, Line 30 is shown correctly on page 4 of the Examiner's Amendment attached to the Notice of Allowance.

Column 44, Line 46 is shown correctly on Page 7 of the Amendment filed May 30, 2003.

3. Please send the Certificate to:

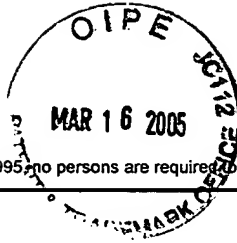
Name Louise A. Foutch
Address: Pioneer Hi-Bred International, Inc.
 Corporate Intellectual Property
 7100 N.W. 62nd Avenue
 P.O. Box 1000
 Johnston, Iowa 50131-1000

Respectfully submitted,

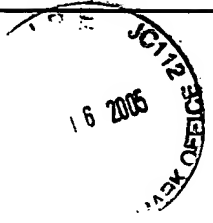


Louise A. Foutch
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Signature

Louise A. Foutch
Typed or printed name of person signing Certificate

37,133
Registration Number, if applicable

515-248-4835
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

- 1. Request for Certificate of Correction of Patent for PTO Mistake (37 CFR 1.322(a)) (1 copy)
- 2. PTO/SB/44 - Certificate of Correction (2 copies)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO : 6,861,577 B2

DATED : Mar. 1, 2005

INVENTOR(S) : Pedro A. Navarro Acevedo; Carl R. Simmons; John T. Tossberg, Nasser Yalpani

It is certified that error appears in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

Cover page (57) ABSTRACT

The invention is drawn to the promoter of a major latex protein gene from maize, which is pathogen-activated. The promoter can be used in methods of expressing a heterologous DNA sequence in plants.

Column 43, Line 12

1. An isolated nucleic acid molecule comprising SEQ ID NO: 3.

Column 43, Line 23

2. A DNA construct comprising the nucleotide sequence of

Column 43, Line 29

5. A method for expressing a heterologous nucleotide sequence in a plant, wherein said method comprises transforming a plant cell with the DNA construct of claim 2, and regenerating a stably transformed plant from said plant cell.

Column 44, Line 11

9. A plant cell stably transformed with the DNA construct of claim 2.

Column 44, Line 28

12. The plant cell of claim 9, wherein said plant cell is from

Column 44, Line 30

13. A plant stably transformed with the DNA construct of claim 2.

Column 44, Line 46

17. Transformed seed of the plant of any one of claims 13-16, wherein the seed comprises the DNA construct.

MAILING ADDRESS OF SENDER: Pioneer Hi-Bred International, Inc.
7100 N.W. 62nd Ave.
P.O. Box 1000
Johnston, Iowa 50131-1000

PATENT NO. 6,861,577 B2

No. of additional copies

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